

REMARKS

Claims 1 and 7 are amended. Claims 2 and 4 were cancelled in a previous response. Claims 8-11 were withdrawn in a previous response. Claims 12 and 13 are new. Claims 1, 3-7 and 12-13 remain in the case for further prosecution.

Claims 1, 3 and 5-7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gilson et al. (U.S. Patent No. 6,336,934) in view of Greenhalgh (U.S. Patent No. 6,375,670).

Claim 1 has been amended to feature that the filaments constituting the support wires and filtered bodies are integrated and have an elastic force to form the shape. Support for this amendment is found at least at, for example, on Page 8, ll. 26 to Page 9, ll. 2, as originally filed (also ¶ [0042] of the associated publication). No new matter has been added.

With the above configuration, the wire for insertion into intravital tracts has no swollen nodal part formed in any of the joined portions. Therefore, in the present invention a wire is inserted easily into the intravital tract and is recovered easily from the intravital tracts so that the joined portions are not lodged in the tracks.

In contrast as shown in the Figures in Gilson et al. and Greenhalgh, as the filaments constituting the support wires and filter body are not integrated but divided, the joint portions are inevitably existing. Consequently, it is difficult to insert a wire into the intravital tract; and it is further difficult to recover the wire from the intravital tract so that it may pick up and catch something in the tract.

Therefore it is believed that the present invention is different in configuration from the cited documents and will be neither anticipated by nor rendered obvious over the teachings of the cited prior art. Claim 1 as amended is believed to be allowable. The associated dependent claims 3 and 5-7 are also believed to be allowable.

New claims 12 and 13 recite that the overall length of the capture filter does not change. Support for these claims can be found in paragraphs [0049] and [0050]. When the filter body is no longer confined by the catheter, it swells out in the radial direction to automatically

return to its original shape. This is different from both Gilson and Greenhalgh. See Figs. 11 and 12 in Gilson, wherein the tubular portion 32 moves along the principal wire 33 to lengthen the filter so as to decrease its diameter. Greenhalgh shows the same thing in Figs. 2a and 2b. It is respectfully submitted that claims 12 and 13 are novel and non-obvious over the prior art and are in condition for allowance.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is further submitted that this Amendment and the new claims have antecedent basis in the application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places the application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,



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